

REMARKS

Favorable reconsideration of the application is respectfully requested in light of the amendments and remarks herein.

Upon entry of this amendment, claims 1-8 and 10-13 will be pending. By this amendment, claims 1, 8, 10, and 11 have been amended; claim 9 has been canceled; and claims 12-13 have been added. No new matter has been added.

§102 Rejection of Claims 1-11

In Section 2 of the Office Action, claims 1-11 stand rejected under 35 U.S.C. §102(e) as being anticipated by Marcus (U.S. Patent No. 6,032,156). Claims 1, 8, 10, and 11 have been amended to address the rejection.

It was described that “the source content may include multiple “takes” of the same shot”. This is common, for example, when filming an interview between two people and many takes are required before the interview flows smoothly. Further, “the source metadata may provide an indication of which take is preferred, e.g. by use of a good shot marker associated with that take.” Thus, the associated source metadata may include “good shot markers” to identify one or more preferred takes. These preferred takes would then be used when producing an edited source sequence. Specification, page 3, lines 22-28.

For example, the structure of system claim 1 is configured for editing source content to produce an edited content sequence, where source metadata is associated with portions of the source content. The system of claim 1, as presented herein, includes:

“*a storage for storing a template defining a desired style for content, template metadata being provided within the template to define the desired style, template metadata including at least one good shot marker*;

a processing unit configured to apply the template to the source content by comparing the source metadata with the template metadata and to arrange the portions of source content in accordance with the comparison to produce the edited content sequence,

wherein the source metadata includes at least one good shot marker, and the processing unit is configured to compare the good shot marker in the template metadata with the good shot marker in the source metadata, to select a preferred shot.”

(emphasis added)

The inclusion of “good shot marker” metadata in a template provides embodiments of the present invention with a facility for automatically making use of preferred takes and for ignoring the “non-preferred” takes. Thus, the editor will not be presented with the potentially large number of “non-preferred” takes of a given clip, which enhances the editor’s productivity.

By contrast, Marcus fails to teach or suggest using “good shot markers” as source or template metadata. Instead, Marcus states in column 3, lines 15-26 that the metadata (i.e., “content tags” 120) may include “Classification of Disease codes”, technical complexity, specific items of information conveyed, demographic characteristics of actors in clips, and style of script. Therefore, Marcus indicates that the media clips stored in the library 70 are all suitable for use in a media program, and that depending on the demographics of the target viewers, different clips are chosen accordingly.

Based on the foregoing discussion, it is maintained that claim 1, as presented herein, should be allowable over Marcus. Furthermore, since independent claims 8, 10, and 11, as presented herein, closely parallel, and include substantially similar limitations, as independent claim 1, claims 8, 10, and 11 should also be allowable over Marcus. Since claims 2-7 depend from claim 1, claims 2-7 should also be allowable over Marcus. Claim 9 has been canceled.

Accordingly, it is submitted that the Examiner’s rejection of claims 1-11 based upon 35

U.S.C. §102(e) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

Newly-added Claims 12 and 13

Based on the foregoing discussion regarding claim 1, and since claims 12 and 13 depend from claim 1, claims 12 and 13 should be allowable over the cited prior art reference.

Conclusion

In view of the foregoing, entry of this amendment, and the allowance of this application with claims 1-8 and 10-13 are respectfully solicited.

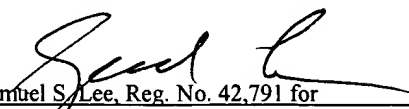
In regard to the claims amended herein and throughout the prosecution of this application, it is submitted that these claims, as Originally presented, are patentably distinct over the prior art of record, and that these claims were in full compliance with the requirements of 35 U.S.C. §112. Changes that have been made to these claims were not made for the purpose of patentability within the meaning of 35 U.S.C. §§101, 102, 103 or 112. Rather, these changes were made simply for clarification and to round out the scope of protection to which Applicant is entitled.

In the event that additional cooperation in this case may be helpful to complete its prosecution, the Examiner is cordially invited to contact Applicant's representative at the telephone number written below.

The Commissioner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account 50-0320.

Respectfully submitted,

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